

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DARRYL CAIN,

Plaintiff,

v.

Case No. 13-10525

FRANK CARROLL, *et al.*,

Sean F. Cox

United States District Court Judge

Defendants.

ORDER

ADOPTING 10/23/24 REPORT AND RECOMMENDATION,
GRANTING PLAINTIFF'S MOTION TO ENFORCE SETTLEMENT AGREEMENT,
AND ORDERING ATTORNEY TO DISPERSE FUNDS TO PLAINTIFF

Acting *pro se*, Plaintiff Darryl Cain filed this prisoner civil rights action against Defendants on February 8, 2013. The action was assigned to the Honorable Paul Borman.

On May 24, 2023, Judge Borman issued an Order appointing attorney Ronnie E. Cromer, Jr. as pro bono counsel for Plaintiff. (ECF No. 100).

After Plaintiff filed a *pro se* Motion to Enforce Settlement Agreement on June 4, 2024, this action was reassigned to the under-signed judge. This Court referred that motion to Magistrate Judge Patricia T. Morris for a report and recommendation. In addition to consideration of the briefs filed, Magistrate Judge Morris also directed Mr. Cromer to file an affidavit. (*See* ECF Nos. 172 & 173).

After consideration of all of those materials, on October 23, 2024, Magistrate Judge Morris filed a Report and Recommendation (ECF No. 174) wherein she recommends that “the Court GRANT Plaintiff’s motion to enforce a settlement agreement (ECF No. 163) and ORDER

attorney Ronnie E. Cromer, Jr. to disperse the sum of \$2,062.50 to Plaintiff.” (*Id.* at 8).

No objections to the Report and Recommendation have been filed by the parties or by Mr. Cromer. Having considered the Report and the related materials, the Court **ORDERS** that the October 23, 2024 Report and Recommendation is **ADOPTED**. The Court **ORDERS** that Plaintiff’s Motion to Enforce Settlement Agreement is **GRANTED and this Court ORDERS attorney Ronnie E. Cromer, Jr. to disperse the sum of \$2,062.50 to Plaintiff within fourteen (14) days of this Order.**

IT IS SO ORDERED.

s/Sean F. Cox
Sean F. Cox
United States District Judge

Dated: November 19, 2024

I hereby certify that a copy of the foregoing document was served upon counsel of record on November 19, 2024, by electronic and/or ordinary mail.

s/Jennifer McCoy
Case Manager